

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

BRANDYWINE COMMUNICATIONS
TECHNOLOGIES, LLC,

Plaintiff,

v.

IKANO COMMUNICATIONS, INC.,

Defendant.

Case No. 2:12-CV-1214-DN
District Judge David Nuffer

**[PROPOSED] ORDER GRANTING
DEFENDANT'S MOTION TO DISMISS
FOR FAILURE TO STATE A CLAIM**

The Motion to Dismiss having been filed by defendant IKANO Communications, Inc. ("IKANO") on March 15, 2013, and the Court having reviewed the Memorandum of Points and Authorities filed in support thereof, as well as the pleadings and records on file herein, and having heard oral argument thereon, and being fully apprised in the premises, and good and sufficient cause appearing therefor,

IKANO's Motion to Dismiss is hereby GRANTED.

IT IS SO ORDERED.

DATED THIS _____ day of _____ 2013.

District Judge David Nuffer

4852-8701-7747.2